



## Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

Pat Quinn, Governor  
Marc Miller, Director

December 15, 2014

Jewel Bucy  
Public Works Director  
City of Havana  
227 W. Main Street  
Havana, IL 62644

RE: Business Park Phase 2 Water and Sewer Improvements  
IDNR Project # 1507131  
Mason County

Dear Ms. Bucy:

This letter concerns the Endangered Species Consultation for installation of water and sewer lines for a business park in Mason County, Township 21 North, Range 8 West, Section 6. This project was submitted for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The Department has completed its review of the project and concluded that the action could have an adverse impact on the State-listed threatened Illinois Chorus Frog (*Pseudacris streckeri*) and Ornate Box Turtle (*Terrepena ornate*). The Department has records of both species in the vicinity of the project, and the soils on-site would provide ideal habitat for these species.

The Illinois Chorus Frog (ICF) is a small amphibian (adults rarely exceed @ 1.5 inches in length) that inhabits sand prairies and agricultural fields with sandy substrates. The species hibernates in burrows and emerges in the spring to breed in flooded fields, ditches, and vernal pools. It is usually only seen above ground during the spring breeding season (February – April); they prefer to be below ground from May to January.

If any frogs are present during construction, they could be injured or killed if they are burrowed or transiting the area to or from breeding ponds. The Department is also concerned that Chorus frogs may prove sensitive to the underground transmission of noise and vibrations from construction activities. ICF primary prey species may be sensitive to noise and vibrations as well, resulting in alterations of the size and locations of suitable habitat.

The Ornate Box Turtle (OBT) is a relatively small turtle (less than six inches) usually only seen above-ground from mid-April to late September. This species spends significant portions of each day underground, either in burrows or shallow excavations near the surface called forms. It emerges in early morning and basks to raise its body temperature, then forages across its range for several hours until temperatures become too high, when it seeks shelter beneath vegetation, in a burrow, or in a form. Evening temperatures allow a second foraging period. Before darkness falls, it retreats to its burrow, except for females during the nesting period (May and June), when eggs are laid at night. From late September through mid-April, the Ornate Box Turtle hibernates in burrows as deep as three feet underground.

If any turtles are present during construction, they could be injured or killed if they are burrowed or transiting the area. Noise generated by construction activities and ongoing operations could interfere with animal communication and may hinder reproductive success. Vibrations from construction activities may pose a risk because reptiles are very sensitive to vibrations transmitted through the ground, as are earthworms and soil organisms, part of this turtle's diet.

If either of these species is present on this site, construction of the site infrastructure, as well as future construction, is likely to result in a take, which is a violation of the Illinois Endangered Species Protection Act. 'Take' means, in reference to animals and animal products, to harm, hunt, shoot, pursue, lure, wound, kill, destroy, harass, gig, spear, ensnare, trap, capture, collect, or to attempt to engage in such conduct.

The Department recommends that you contract for a biological survey for both species. Please be advised that, if wildlife is to be captured, collected, or handled in any way, persons performing such surveys must be in possession of a scientific research permit issued by the Department pursuant to 17 IL Admin Code Part 1070 for endangered or threatened wildlife and a scientific research permit pursuant to 17 IL Admin Code Part 520 for non-listed wildlife.

If the survey records either species in the vicinity of the project site, the Department recommends that you apply for Incidental Take Authorization (ITA) for that species in accordance with *17 Ill Adm. Code Part 1080* (copy enclosed). It is recommended that you consider applying for ITA for the entire project, not just installation of infrastructure. Communication concerning the ITA application should be directed to Jenny Skufca, Office of Resource Conservation, 217-557-8243 or [Jenny.Skufca@illinois.gov](mailto:Jenny.Skufca@illinois.gov).

In addition, the Department recommends the following measures to minimize adverse effects during construction of the infrastructure:

- No work should occur between February 1 and June 30 during the ICF and the OBT breeding seasons.
- To prevent turtles from entering construction areas, exclusionary fencing should be in place by the end of March and maintained through September; daily inspections should be conducted during the construction period to ensure that exclusionary fencing is properly installed (dug into the ground) and to check if turtles are present.

- Routinely inspect trenches and excavations before starting work each day to assure no turtles or frogs have become trapped within them. Make sure trenches and excavated areas are covered each evening to avoid trapping any amphibians or reptiles.
- Educate construction personnel on how to recognize both species. Color photos and educational materials should be distributed, discussed at pre-construction meetings, and displayed at work zones.
- If any Illinois Chorus Frogs or Ornate Box Turtles are encountered, work should stop and an IDNR biologist should be contacted at 217/782-0447.
- If work is to be conducted in early spring during the ICF breeding season (February – April), conduct a wetland delineation to determine the extent of ephemeral breeding ponds at the project location. Have a qualified biologist present to handle potential adult and juvenile frog encounters.

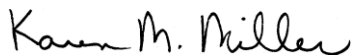
Consultation on the part of the Department is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department of your decision regarding these recommendations.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions.

Sincerely,



Karen M. Miller  
Impact Assessment Section  
Phone (217) 785-5500  
[karen.m.miller@illinois.gov](mailto:karen.m.miller@illinois.gov)

cc: Jenny Skufca, IDNR Office of Resource Conservation